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Epson Imaging Devices Corporation,
and Epson Electronics America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

MDL File No. 3:07-md-1827-SI
MDL No. 1827

This Document Relates to:

*Motorola Mobility, Inc. v. AU Optronics
Corporation, et al., C 09-5840 SI*

**STIPULATION AND [PROPOSED]
ORDER REGARDING JANE
WANG**

1 Plaintiffs Motorola Mobility, Inc. ("Motorola") and Defendants Epson Imaging Devices
 2 Corporation and Epson Electronics America, Inc. (collectively, "Epson") hereby stipulate as
 3 follows:

4 **STIPULATION**

5 WHEREAS discovery was scheduled to close in this case on December 8, 2011, as set
 6 forth in the Stipulation and Order Modifying Pretrial Schedule for "Track One" Direct Action
 7 Plaintiff and State Attorney General Actions (Dkt. No. 3110, the "Scheduling Order");

8 WHEREAS Epson and Motorola previously stipulated to extend the time to serve
 9 discovery responses and file motions to compel to January 31, 2012, and the Court approved that
 10 stipulation on December 19, 2011;

11 WHEREAS Epson and Motorola previously stipulated to further extend the time to serve
 12 discovery responses and file motions to compel to February 10, 2012, and the Court approved that
 13 stipulation on February 2, 2012;

14 WHEREAS Epson has requested the deposition of Jane Wang, an employee of Motorola's
 15 Chinese subsidiary;

16 WHEREAS Ms. Wang has been unavailable for family and personal issues, and Motorola
 17 has objected to producing her for deposition after resolution of, or other arrangements being made
 18 regarding, those issues;

19 NOW, THEREFORE, the Parties, through their undersigned respective counsel, stipulate
 20 and agree as follows:

- 21 1. Defendants will not seek the deposition of Ms. Wang so long as Motorola
 22 does not call Ms. Wang as a witness at trial, or obtain a declaration,
 23 affidavit, or similar statement in support of, or in opposition to, any motion
 24 or application in this litigation; provided that,
- 25 2. should Motorola obtain a declaration, affidavit, or similar statement in
 26 support of, or in opposition to, any motion or application in this litigation,
 27 Motorola will make Ms. Wang available to defendants for a full day of
 28 deposition on reasonable notice in Hong Kong, China. Furthermore,

1 should Motorola call Ms. Wang at trial, Motorola will make Ms. Wang
2 available to defendants for a full day of deposition prior to her testimony at
3 trial.

4 a. If Ms. Wang does not appear for a full day of deposition on a date
5 mutually determined by the parties or set by the Special Master
6 after submitting a declaration, Motorola will withdraw her
7 declaration unless Defendants indicate that they do not wish to
8 proceed with her deposition.

9 b. Furthermore, if Ms. Wang does not appear for a full day of
10 deposition on a date mutually determined by the parties or set by
11 the Special Master prior to her scheduled testimony at trial,
12 Motorola will withdraw her as a witness unless Defendants indicate
13 that they do not wish to proceed with her deposition.

14
15 Dated: February 24, 2012

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20 By: /s/ Derek F. Foran
DEREK F. FORAN

21 Attorneys for Defendants Epson
22 Imaging Devices Corporation, and
23 Epson Electronics America, Inc.
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1 Dated: February 24, 2012

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By: /s/ Joshua Stokes

JOSHUA STOKES

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Mobility, Inc.

1 **ATTESTATION:** Pursuant to N.D. Cal. General Order 45, Part X-B, the filer attests that
2 concurrence in the filing of this document has been obtained from each signatory hereto.

3
4 Dated: February 24, 2012

By: /s/ Derek F. Foran
Derek F. Foran

IT IS SO ORDERED.

Dated: _____, 2012

The Honorable Susan Illston
Judge of the United States District Court